

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Sri Samala Nageswara Rao, formerly superintendent O/o. ADA, (SC), Arakuvalley, Visakhapatnam District now retired as Administrative Officer, O/o. JDA, Vizianagaram – Departmental Proceedings under Rule 20 of the APCS (CC&A) Rules, 1991 – Articles of charges – Issued.

AGRICULTURE AND COOPERATION (VIG I) DEPARTMENT

G.O.Rt.No. 1064

Dated: 20-09-2011,
Read the following:-

- 1) From the DG, ACB, Hyd. in Lr.Rc.No.07/RCA-WVP/ 2010-S11, dated 23-5-2011.
- 2) Govt.Memo. No. 638/Vig.I-1/2010-8, A&C (Vig.I) Dept., dated 19-9-2011.
- 3) G.O.Ms.No.234, A&C (Vig.I) Dept., dated 20-9-2011.

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ORDER :-

It is proposed to hold an enquiry against the said Sri Samala Nageswara Rao, formerly superintendent O/o. Asst. Director of Agriculture, (SC), Arakuvalley, Visakhapatnam District now retired as Administrative Officer, O/o. JDA, Vizianagaram in accordance with procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). A list of witnesses by whom, and a list of documents by which the articles of charge are proposed to be sustained are enclosed (Annexure-II and III).

3. Sri Samala Nageswara Rao, formerly superintendent O/o. Asst. Director of Agriculture, (SC), Arakuvalley, Visakhapatnam District now retired as Administrative Officer, O/o. JDA, Vizianagaram and is directed to submit within 10 days of the receipt of this G.O. a written statement of his defence and also to state whether he desires to be heard in person.

4. He is informed that an Inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny the article of charge.

5. Sri Samala Nageswara Rao, formerly superintendent O/o. Asst. Director of Agriculture, (SC), Arakuvalley, Visakhapatnam District now retired as Administrative Officer, O/o. JDA, Vizianagaram is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri Samala Nageswara Rao, formerly superintendent O/o. Asst. Director of Agriculture, (SC), Arakuvalley, Visakhapatnam District now retired as Administrative Officer, O/o. JDA, Vizianagaram is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri Samala Nageswara Rao, formerly superintendent O/o. ADA, (SC), Arakuvalley, Visakhapatnam District now retired as Administrative Officer, O/o. JDA, Vizianagaram is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A. P. Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Samala Nageswara Rao, formerly superintendent O/o.
ADA, (SC), Arakuvalley, Visakhapatnam District
now retired as Administrative Officer, O/o. JDA, Vizianagaram
(through the C&DA, Hyderabad.)

Copy to:

The C&DA, Hyderabad with a request to serve the order
on the charged officer and return the served copy with dated ack.,
The DG, ACB, Hyderabad.

SC/Sf.

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-I

DRAFT ARTICLES OF CHARGES FRAMED AGAINST SRI SAMALA NAGESWARA RAO, FORMERLY SUPERINTENDENT O/O. ASST. DIRECTOR OF AGRICULTURE (SOIL CONSERVATION), ARAKUVALLEY, VISAKHKAPATNAM DISTRICT.

That Sri Samala Nageswara Rao joined in Government service in Agriculture Department on 04.12.1976 as Junior Assistant. He worked as such at Arakuvalley, Visakhapatnam from 04.12.1976 to 16.04.1997. He got promotion as Sr.Assistant on 17.4.1997 and worked as such at Arakuvalley from up to 02.08.2005. He got promotion as Supdt. on 30.08.2005 and worked as such at Asst. Director of Agriculture (Soil Conservation), Arakuvalley from 03.08.2005 to September, 2010. He got promotion as Administrative Officer on September 2010 and presently working as Administrative Officer at the Office of Jt. Director of Agriculture, Vizianagaram since September, 2010. While working as Superintendent O/o. Assistant Director of Agriculture (Soil Conservation), Arakuvalley, he has committed grave misconduct in as much as by countersigning on the false and fabricated Annual Property Returns of Sri Pragada Sanjeeva Rao Accused Officer in Cr.No.01/RCA-ACB-VSP/2010 by tapering the office records in collusion with said Sanjeeva Rao as if they were filed in time and to facilitate him to get out of the disproportion assets case.

Thus Sri Samala Nageswara Rao by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1)(2) of APCS (Conduct)Rules, 1964.

**V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT**

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORTY OF ARTICLES OF CHARGES FRAMED AGAINST SRI SAMALA NAGESWARA RAO, FORMERLY SUPERINTENDENT O/O. ASST. DIRECTOR OF AGRICULTURE (SOIL CONSERVATION), ARAKUVALLEY, VISAKHKAPATNAM DISTRICT.

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Sri Samala Nageswara Rao is a native of Araku, Visakhapatnam District and his date of birth is 01.07.1953. Sri Samala Nageswara Rao joined Govt. service on 04.12.1976 as Junior Assistant in Agriculture Department. He worked as such at Arakuvalley, Visakhapatnam from 04.12.1976 to 16.04.1997. He got promotion as Sr. Assistant on 17.04.1997 and worked as such at Arakuvalley from up to 02.08.2005. He got promotion as Superintendent on 3.8.2005 and worked as such at Assistant Director of Agriculture (Soil Conservation), Arakuvalley from 03.08.2005 to September, 2010. He got promotion as Administrative Officer on September, 2010 and presently working as Administrative Officer at the Office of Jt. Director of Agriculture, Vizianagaram since September, 2010. He is drawing Basic pay of Rs.27,000/- in the time scale of pay of Rs.14,860/- - 39,540/-. Sri Samala Nageswara Rao is due to retire from service on attaining the age of superannuation on 30.06.2011. He is here-in-after referred to as Government Servant.

On credible information that Sri Pragada Sanjeeva Rao, Agricultural Extension Officer, O/o. Assistant Director of Agriculture (Soil Conservation), Arakuvalley, Visakhapatnam district while working as public servant, had indulged himself in corrupt and dubious practices, acquired assets in his name, in the name of his family members and his relatives, which are disproportionate to his known sources of income, a case in Cr.No.01/RCA-VSP/2010 under section 13(2) read with 13(1)(e) of the Prevention of Corruption Act, 1988 was registered on 07.01.2010 and investigated into.

During investigation the Jt. Director of Agriculture, Visakhapatnam vide his Lr. No.Estt.(2)1191/09, Dt.19.07.2010, informed that the A.O Sri P.Sanjeeva Rao did not obtain any permission to acquire and dispose of any movable and immovable properties in his name and in the name of his family members and he did not furnish the Annual Property Returns during his service i.e., from his date of joining in to service i.e., 10.04.1987 to 07.10.2010.

But K.Chengappa the Assistant Director of Agriculture (Soil Conservaton), Arakuvalley furnished attested Photostat copies of Annual Property Returns counter signed by the government Servant said to have been filed by P.Sanjeeva Rao for the years 2000 to 2003 and 2005 to 2009 in a bunch along with his letter in Rc.No.E/5/2010, dt.11.2.2010.

When addressed a letter to the Asst. Director, Agriculture, Soil Conservation, Arakuvalley with a request to furnish the Original APRs filed by the A.O. Accordingly the A.D, Agriculture furnished the Original APRs filed by the A.O along with his covering letter in Rc.No.E/5/2010, dt.21.04.2010. When the above Photostat copies of APRs furnished by the A.D, Agriculture were compared with the Original APRs furnished by the Asst. Director of Agriculture,(Soil Conservation), Arakuvalley there was a discrepancy found in the APR for the year 2001. In the original Annexure-1, nil is shown below column No.6 whereas the same was shown below column No.5 in the attested copy. In original Annexure-II, NIL was shown below column -4 while the same was shown in the attested copy below column-5. Likewise some differences were observed in other APRs also. It is quite evident that the original APRs and the Photostat copies are not one and the same and they were file after the registration of D.A case.

On examination Sri Paleru Bhadrachalam, S/o late Veera Swamy, 57 years, Jt. Director of Agriculture, Visakhapatnam stated that he has been working as Jt. Director of Agriculture, Visakhapatnam since 11-03-2010. According to the office procedure, the Agriculture Extension Officers should furnish the Annual Property Returns to the Office of Jt. Director of Agriculture through Assistant Director of Agriculture. After receipt of the APRs from Assistant Director of Agriculture they will be filed in their office records. As per their office records, the A.P.Rs of Sri P.Sanjeeva Rao, Agriculture Extension Officer were not received in his office. He further stated that the Assistant Director of Agriculture (SC), Arakuvalley vide Lr.Endt.No.E/5/2010, Dt.10.03.2010 sent the copies of APRs of Sanjeeva Rao for the last 10 years in a bunch along with representation of Sri P.Sanjeeva Rao requesting to accord permission to purchase a four wheeler (car.). On that he returned the same to the Assistant Director of Agriculture (SC), Arakuvalley vide memo No.Estt(2)1192/2009(2), Dt.19.07.2010 without receiving the said bunch of APRs.

The Jt. Director of Agriculture, Visakhapatnam who is competent authority to receive and maintain APRs clearly informed that P.Sanjeeva Rao did not submit the APRs during his service.

From the above, it is evident that the Government Servant has counter signed on the false and fabricated Annual Property Returns of Sri P.Sanjeeva Rao, by tampering the office records in collusion with the said Sanjeeva Rao, as if they were filed in time and to facilitate him to get out of the disproportion of assets case.

Thus Sri Samala Nageswara Rao, Superintendent, O/o. Assistant Director of Agriculture (Soil Conservation), Araku valley, Visakhapatnam district by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. servant and thus violated Rule 3(1)(2) of the APCS (Conduct) Rules, 1964.

**V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT**

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS

1. Lr.No.Estt(2)1191/09, Dt.19.07.2010 of the Jt. Director of Agriculture, Visakhapatnam.
2. Lr. in Rc.No.E/5/2010, dt.11.02.2010 of the Assistant Director of Agriculture (Soil Conservation). Arakuvalley along with attested Photostat copies of Annual Property Returns filed by the A.O for the year 2000 to 2003 and 2005 to 2009
3. Lr. in Rc.No.E/5/2010, dated 21-04-2010 of the Assistant Director, Agriculture, Soil Conservation, Arakuvalley along with Original APRs filed by the A.O for the years 2000 to 2003 and 2005-2009.
4. Statement of Sri Paleru Bhadrachalam, S/o late Veera Swamy, 57 years, Jt. Director of Agriculture, Visakhapatnam.
5. Letter Endt.No.E/5/10, dt.10.3.2010.
6. Memo No.Estt.(2)1192/2009(2) dt.19.7.2010.

**V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT**

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES

1. Sri Paleru Bhadrachalam, S/o late Veera Swamy, 57 years, Jt. Director of Agriculture, Visakhapatnam.
2. Sri P.Sriniasa Rao, formerly Inspector of Police, ACB, Visakhapatnam

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